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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/764,707	01/26/2004	Dave Williams	124795-1004	9186

7590 04/28/2006

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EXAMINER

FERGUSON, MICHAEL P

ART UNIT	PAPER NUMBER
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3679

DATE MAILED: 04/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/764,707

Applicant(s)

WILLIAMS, DAVE

Examiner

Michael P. Ferguson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,4 and 7-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,4 and 7-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on April 14, 2006 has been entered.

Claim Objections

2. Claim 13 is objected to because of the following informalities:

Claim 13 (line 11) recites "the mounting clip". It should recite --the mounting portion--.

For the purpose of examining the application, it is assumed that appropriate correction has been made.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 11 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 11 recites "The apparatus... further comprising an attachment means for detachably coupling the securing clip to the computer drive". It is unclear as to whether

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the "attachment means" comprises the securing pin or the one or more flexible tabs of the securing clip, or whether the "attachment means" comprises another previously undefined structural element of the securing clip. Accordingly, one is unable to determine the metes and bounds of such claim.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1,3,4 and 7-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Webster, Jr. et al. (US 6,227,516).

As to claim 1, Webster, Jr. et al. disclose a screwless apparatus for attaching a computer drive **13** to a computer chassis **17** comprising:

a mounting clip **33** coupled to the computer chassis and having one or more flexible tabs **33**; and

a securing clip **31** detachably coupled to the mounting clip (inherently, securing clip **31** is structurally capable of being removed from mounting clip **33**, whether a removal process is explicitly disclosed or not; Figures 1-3), wherein the securing clip is configured for selective engagement with the mounting clip and the computer drive, the securing clip having:

DPS a securing pin **39** configured ^{for} ~~for~~ selective engagement with a screw hole of the computer drive; and

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one or more flexible tabs **35** configured for selective engagement with the one or more flexible tabs of the mounting clip (Figures 1-3).

As to claim 3, Webster, Jr. et al. disclose an apparatus comprising an attachment means (formed as a part of the computer chassis) for coupling the mounting clip **33** to the computer chassis **17** (Figure 3).

As to claim 4, Webster, Jr. et al. disclose a screwless apparatus for attaching a computer drive **13** to a computer chassis **17** comprising:

a securing clip **31**; and

a mounting clip **33** coupled to the computer chassis, the securing clip detachably coupled to the mounting clip (inherently, securing clip **31** is structurally capable of being removed from mounting clip **33**, whether a removal process is explicitly disclosed or not; Figures 1-3) and having:

two securing pins **39** (two securing clips **31**) configured to fit through holes on the computer chassis and into standardized screw holes on the computer drive; and

a flexible tab **35** configured for selective engagement with a corresponding flexible tab **33** on the mounting clip of the computer chassis (Figures 1-3).

As to claim 7, Webster, Jr. et al. disclose an apparatus comprising an attachment means (formed as a part of the computer chassis) for coupling the mounting clip **33** to the computer chassis **17** (Figure 3).

As to claim 8, Webster, Jr. et al. disclose an apparatus wherein the mounting clip **33** is formed from and as a portion of the computer chassis **17** (Figure 3).

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As to claim 9, Webster, Jr. et al. disclose a method for assembling a computer drive **13** to a computer chassis **17** comprising:

positioning a securing clip **31**, the securing clip having a securing pin **39** and one or more flexible tabs **35**, through pin alignment holes on a computer chassis **17**; and

selectively engaging the one or more flexible tab with one or more flexible tabs **33** present on a mounting clip **33**, wherein the mounting clip is affixed to the computer chassis, and the securing clip is detachably coupled to the mounting clip (inherently, securing clip **31** is structurally capable of being removed from mounting clip **33**, whether a removal process is explicitly disclosed or not; Figures 1-3).

As to claim 10, Webster, Jr. et al. disclose an apparatus wherein the one or more flexible tabs **33** of the mounting clip **33** comprise a pair of parallel flexible arms movable relative to each other, the one or more flexible tabs **35** of the securing clip **31** comprise a pair of parallel flexible arms movable relative to each other, and the flexible arms of the mounting clip define an area to resiliently receive the flexible arms of the securing clip (Figure 3).

As to claim 11, Webster, Jr. et al. disclose an apparatus comprising an attachment means (securing pin **39**) for detachably coupling the securing clip **31** to the computer drive **13** (Figure 3).

As to claim 12, Webster, Jr. et al. disclose an apparatus wherein the securing pin **39** is formed from and extending as a portion of the securing clip **31** (Figure 3).

As to claim 13, Webster, Jr. et al. disclose a screwless apparatus for attaching a computer drive **13** to a computer chassis **17**, comprising:

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a mounting portion **33** on the computer chassis, wherein the mounting portion has one or more tabs **33**; and

a securing clip **31** detachably coupled to the mounting portion (inherently, securing clip **31** is structurally capable of being removed from mounting portion **33**, whether a removal process is explicitly disclosed or not; Figures 1-3), wherein the securing clip is configured for selective engagement with the mounting portion and the computer drive, the securing clip having:

a securing pin **39** configured for selective engagement with a screw hole of the computer drive; and one or more flexible tabs **35** configured for selective engagement with the one or more tabs of the mounting portion (Figures 1-3).

7. Claims 1,3,4,7-9 and 11-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Francovich et al. (US 5,828,547).

As to claim 1, Francovich et al. disclose a screwless apparatus for attaching a computer drive **92** to a computer chassis **86** comprising:

a mounting clip (the mounting clip being defined between adjacent slots **98**) coupled to the computer chassis and having one or more flexible tabs (the tabs being defined between adjacent slots **98**); and

a securing clip **90** detachably coupled to the mounting clip (inherently, securing clip **90** is structurally capable of being removed from mounting clip; Figures 8-11), wherein the securing clip is configured for selective engagement with the mounting clip and the computer drive, the securing clip having:

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a securing pin **94** configured for selective engagement with a screw hole of the computer drive; and

one or more flexible tabs **96** configured for selective engagement with the one or more flexible tabs of the mounting clip (Figures 8-11).

As to claim 3, Francovich et al. disclose an apparatus comprising an attachment means (formed as a part of the computer chassis) for coupling the mounting clip to the computer chassis **86** (Figure 10).

As to claim 4, Francovich et al. disclose a screwless apparatus for attaching a computer drive **92** to a computer chassis **86** comprising:

a securing clip **90**; and

a mounting clip (the mounting clip being defined between adjacent slots **98**) coupled to the computer chassis, the securing clip detachably coupled to the mounting clip (inherently, securing clip **90** is structurally capable of being removed from mounting clip; Figures 8-11) and having:

two securing pins **94** configured to fit through holes on the computer chassis and into standardized screw holes on the computer drive; and

a flexible tab **96** configured for selective engagement with a corresponding flexible tab (the tabs being defined between adjacent slots **98**) on the mounting clip of the computer chassis (Figures 8-11).

As to claim 7, Francovich et al. disclose an apparatus comprising an attachment means (formed as a part of the computer chassis) for coupling the mounting clip to the computer chassis **86** (Figure 10).

As to claim 8, Francovich et al. disclose apparatus wherein the mounting clip is formed from and as a portion of the computer chassis **86** (Figure 10).

As to claim 9, Francovich et al. disclose a method for assembling a computer drive **92** to a computer chassis **86** comprising:

positioning a securing clip **90**, the securing clip having a securing pin **94** and one or more flexible tabs **96**, through pin alignment holes on a computer chassis **86**; and

selectively engaging the one or more flexible tabs with one or more flexible tabs (the tabs being defined between adjacent slots **98**) on a mounting clip (the mounting clip being defined between adjacent slots **98**), wherein the mounting clip is affixed to the computer chassis, and the securing clip is detachably coupled to the mounting clip (inherently, securing clip **90** is structurally capable of being removed from mounting clip; Figures 8-11).

As to claim 11, Francovich et al. disclose an apparatus comprising an attachment means (securing pin **94**) for detachably coupling the securing clip **90** to the computer drive **92** (Figure 11).

As to claim 12, Francovich et al. disclose an apparatus wherein the securing pin **94** is formed from and extending as a portion of the securing clip **90** (Figure 9).

As to claim 13, Francovich et al. disclose a screwless apparatus for attaching a computer drive **92** to a computer chassis **86**, comprising:

a mounting portion (the mounting portion being defined between adjacent slots **98**) on the computer chassis, wherein the mounting portion has one or more tabs (the tabs being defined between adjacent slots **98**); and

a securing clip **90** detachably coupled to the mounting portion (inherently, securing clip **90** is structurally capable of being removed from mounting portion; Figures 8-11), wherein the securing clip is configured for selective engagement with the mounting portion and the computer drive, the securing clip having:

a securing pin **94** configured for selective engagement with a screw hole of the computer drive; and one or more flexible tabs **96** configured for selective engagement with the one or more tabs of the mounting portion (Figures 8-11).

Response to Arguments

8. Applicant's arguments filed April 14, 2006 have been fully considered but they are not persuasive.

As to claims 1,9 and 13, Attorney argues that:

Webster, Jr. et al. do not disclose a screwless apparatus comprising a securing clip *detachably coupled* to the mounting clip.

Examiner disagrees. As to claims 1,9 and 13, Webster, Jr. et al. disclose a screwless apparatus comprising a securing clip **31** detachably coupled to the mounting clip **33** (inherently, securing clip **31** is structurally capable of being removed from mounting clip **33**, whether a removal process is explicitly disclosed or not; Figures 1-3).

As to claims 1,9 and 13, Attorney argues that:

Francovich et al. do not disclose a screwless apparatus comprising a securing clip *detachably coupled* to the mounting clip.

Examiner disagrees. As to claims 1,9 and 13, Francovich et al. disclose a screwless apparatus comprising a securing clip **90** detachably coupled to the mounting

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clip (the mounting clip being defined between adjacent slots 98; inherently, securing clip 90 is structurally capable of being removed from mounting clip; Figures 8-11).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael P. Ferguson whose telephone number is (571)272-7081. The examiner can normally be reached on M-F (8:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571)272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MPF

04/26/06



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